

**Remarks/Arguments**

Claims 1-8, and 11-13 are pending. The claims have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

**Rejection of claims 1-8 and 11-13 under 35 USC 103(a) as being unpatentable over Goertzel et al (US Pat No 6,208,952)**

Applicants submit that for at least the reasons discussed below present claims 1-8 and 11-13 are patentably distinguishable over the teachings of Goertzel et al.

The teachings of Goertzel have been discussed in detail in applicants' previous response. For the reasons stated therein and discussed further below, applicants respectfully disagree with the Examiner's analysis and application of Goertzel. Goertzel describes a system in which a client communicates with a server through a number of processes, all of which may or may not be used depending on the circumstances. As mentioned previously, Goertzel et al. requires that a protocol to be used for communication between a client and a server be first registered so that the server is able to correctly configure to use that protocol before receiving a request from the client according to that particular protocol.

This process is clearly summarized by col. 4, lines 21 to 33:

"A client process requests to communicate with a server process by sending a message to the communication process, via a well known endpoint [i.e. port] of the communication process for a protocol that the client process supports".

In other words, the client process first sends a message to the communication process, specifying the protocol to be used with the server. Furthermore:

"When the communication process receives the request, it notifies the server process to register a protocol identified in the request. The server process registers the request and returns an assigned server remote

endpoint to the communication process. The communication endpoint then returns the server remote endpoint to the client process."

In other words, the server specifies a port for receiving messages according to that protocol, and the port information is returned to the client process in response to the initial message to the communication process. It is not a response to a client's request using that protocol (which the server did not support up to this point), but a response to a registration request of that protocol, so that the client may, in the future, formulate requests coded in that protocol. Finally:

"The client process can then directly communicate with the server remote process through the server endpoint."

In other words, client requests according to the registered protocol are addressed directly to the server process, without going through the communication process.

By contrast, amended claim 1 recites:

1. Communication method in a first network comprising at least two devices, wherein, a first device including an internet application and a second device including means for connecting to the internet, said method comprises the steps of:

receiving, by the second device, a request from said first device for opening a connection between the first device and the second device, wherein said request contains an internet application protocol identifier, corresponding to a protocol chosen among a plurality of protocols supported by the second device, to identify an internet application protocol to be used for exchanging information between the first device and an internet server;

receiving, by the second device, an internet protocol request under the format of said internet application protocol from said first device;

forwarding said internet protocol request from the second device to the internet server;

upon receipt, transferring a response from said internet server to said first device through said second device over said first network.

With respect to the first receiving step, in section 16 (A) of the Office Action, the Examiner contends that

'Goertzel discloses that when the client computer needs to communicate with the server, a request is sent to the server process 270 which includes the list of supported protocols and the network application used for communication'.

Reference is made to figures 1-5, col. 4 lines 35-67 and col. 5 lines 1-20 of Goertzel.

Applicant respectfully submits that the examiner has misread the teachings of Goertzel. In this regard, the Examiner mentions a 'list of supported protocols'. In Goertzel, such a list is communicated from the client process to the communication process and from the server process to the communication process. The communication process then determines an appropriate behaviour. See col. 4, line 63 to col. 5, line 2, which is part of the passage cited by the Examiner. Thus the allegation that 'a request is sent to the server process 270 which includes the list of supported protocols' is simply not supported by the cited portions of Goertzel.

Moreover, the feature that a list of protocols is sent is not recited in claim 1. Rather, the claim recites "... request contains an internet application protocol identifier, corresponding to a protocol **chosen among a plurality of protocols supported by the second device**" (emphasis added).

In Goertzel, the list of protocols corresponds to protocols supported by the client process (see e.g. col. 5 lines 1 and 2), which, when one follows the Examiner's assertions and reasoning, would correspond to the 'first device' of claim 1 and not to the 'second device'.

Moreover, the 'list of protocols that the client process can use for communicating' of Goertzel is not an "... internet application protocol identifier,

corresponding to a protocol chosen among a plurality of protocols supported by the second device" as recited by claim 1. No such selection is made in Goertzel, since the whole point of this message in Goertzel is to send a list of all possible protocols.

Finally, applicants submit that there is no teaching or suggestion in Goertzel of a 'connection' as recited in claim 1. Therefore, applicants submit that the first recited receiving step is not taught or suggested by Goertzel.

Applicants further submit that Goertzel fails to teach or suggest the second recited receiving step of claim 1. In section 16 (B) of the Office Action, the Examiner alleges that:

'Goertzel teaches or suggests a protocol supported by the second device (RPC component) since the second device receives requests according to that protocol from the first device (the client) and forwards the responses from the Internet server (network server) (figures 3s; and column 5 line 21 to column 6 line 24).'

First, it is not clear which RPC component the Examiner refers to, since every one of the four processes illustrated in figures 3A to 3C comprise such a component. Thus, it is not clear what element of Goertzel is supposed to anticipate the 'second device' of the claim. From the rest of the Office Action, it appears that the Examiner attempts to establish a relationship between the 'communication process' 350 and the 'second device' of claim 1, and Applicants will assume that the RPC component referred to here is the RPC component 352 of the 'communication process'.

In this regard, the Examiner assumes that the communication process receives a request from the client process according to a protocol chosen as claimed. Applicants disagree with such an assumption. The communication process only receives a request comprising a list of protocols supported by the client process (see e.g. col. 4, line 66 to col. 5 line 2) – this request is NOT destined to the server process (it instructs the communication process to check

what protocols are supported by the server process), and certainly is NOT "... **an internet protocol request under the format of said internet application protocol ...**" as recited in claim 1. Thus, applicants submit that Goertzel fails to teach or suggest the second recited receiving step of claim 1.

In view of the above, applicants submit that even if the teachings of Goertzel is modified to specify the network serves as an Internet server as suggested, the proposed modification still fails to teach or suggest each and every limitation of amended claim 1, and as such, amended claim 1, and the claims that depend therefrom, are patentably distinguishable over the suggested modification of Goertzel.

Claim 13 recites similar features in apparatus form and are believed to patentably distinguishable over the suggested modification of Goertzel for at least the same reasons as those discussed above.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,  
G. Bichot, et al.

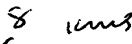
By:   
Paul P. Kiel  
Attorney for Applicants  
Registration No. 40,677

THOMSON Licensing Inc.  
PO Box 5312  
Princeton, NJ 08543-5312

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Karen Schlauch